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| APPLICATION NO.                    | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|------------------------------------|-------------|----------------------|---------------------|------------------|
| 09/977,206                         | 10/16/2001  | Hossein Djelogiry    | 042933/305201       | 3192             |
| 826                                | 7590        | 07/17/2007           | EXAMINER            |                  |
| ALSTON & BIRD LLP                  |             |                      | BHATTACHARYA, SAM   |                  |
| BANK OF AMERICA PLAZA              |             |                      |                     |                  |
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|                                    |             |                      | ART UNIT            | PAPER NUMBER     |
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|                                    |             |                      | 07/17/2007          | PAPER            |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

|                              |                               |                                    |  |
|------------------------------|-------------------------------|------------------------------------|--|
| <b>Office Action Summary</b> | Application No.<br>09/977,206 | Applicant(s)<br>DJELOGIRY, HOSSEIN |  |
|                              | Examiner<br>Sam Bhattacharya  | Art Unit<br>2617                   |  |

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 25 April 2007.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 23-28 and 30-45 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 23-28 and 30-45 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)                                | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                       | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/25/07 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.
3. Claims 23-28 and 30-45 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakurai (US 6,600,930) in view of Freeland et al. (US 2003/0028380) and Culliss (US 6,539,377).

Regarding claim 23, Sakurai discloses a mobile telecommunications device 1 including a controller 121, a keypad 102 operably coupled to the controller to receive data from a user, a transceiver 112/113 operably coupled to the controller to send and receive wireless signals, where the controller is further capable of being configured to execute a browser application (www browser function), to receive a search term for a search engine (inputting text using type function), to establish a connection with a server associated with a search engine (sending a request for connection to the common server). See FIGS. 4A, 5, 6 and 9, col. 24, lines 35-44 and col. 24, line 66 to col. 25, line 6.

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Sakurai fails to disclose receiving information identifying a search engine to carry out a search using said search term and to receive an instruction to carry out a search and transmitting the search term to a server and to receive search engine results based on the search term from the server.

However, in an analogous art, Freeland discloses a phone that receives information identifying a user's favorite search engine to carry out a search using a search term and to receive an instruction to carry out the search and transmit the search term to a web server 10/214 and to receive search engine results based on the search term from the server. See FIGS. 1 and 3 and paragraph 272. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Sakurai by incorporating these features taught in Freeland for the purpose of allowing a user the freedom to make specific web requests using the phone.

The combination of Sakurai and Freeland fails to disclose receiving a search term for a search engine offline and carrying out a search online using the search term received offline. However, in an analogous art, Culliss discloses this feature in col. 1, lines 53-59 and col. 11, lines 26-31. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Sakurai and Freeland by incorporating this feature taught in Culliss for the purpose of saving online consumption of the computing device.

Regarding claims 24, 25, 39, 40 and 45, Sakurai discloses a display 105 operably coupled to the controller and where the controller is further capable of being configured to present a list of predefined links on said display and to receive a command selecting one or more predefined links from said list of predefined links. See col. 22, line 64 to col. 23, line 7.

Regarding claims 26, 35, 36, 41 and 42, Sakurai discloses that the controller is capable of being configured to receive information identifying a plurality of search engines to carry out a search using said search term, and, thereafter, for each respective search engine, capable of being configured to establish a connection with a server associated with the search engine, to transmit said search term to the server and to receive search engine results based on said search term from the server. See col. 19, line 60 – col. 20, line 6.

Regarding claims 27, 37, 38, 43 and 44, Sakurai discloses a display 105 operably coupled to the controller and wherein the controller is further capable of being configured to present search results on the display, the search results including at least one link for accessing a web page. See col. 19, lines 45-55.

Regarding claim 28, the Sakurai reference discloses a device according to claim 1. However, it does not expressly disclose the device is WAP-enabled. However, Freeland teaches a phone device 200 that is WAP-enabled. See paragraph 194. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Sakurai wherein the device is WAP-enabled, as taught by Freeland, in order to access web pages on the Internet with a mobile device.

Regarding claim 30, Sakurai discloses a device which is a PDA. See col. 15, lines 13-14.

Regarding claim 31, Sakurai discloses a system including a server 2 associated with a search engine, a wireless telecommunications network, and a mobile telecommunications device 1 a keypad operably coupled to the controller for receiving data from a user, a transceiver 112/113 operably coupled to the controller to send and receive wireless signals through the wireless telecommunications network and a controller 121, the controller capable of being

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configured to execute a browser application (www browser function), to receive an instruction to prepare a search (inputting text using type function), the controller thereafter being operable to establish a connection with the server associated with the search engine through the wireless communications network (sending a request for connection to the common server. See FIGS. 1, 4A, 5, 6 and 9, col. 24, lines 35-44 and col. 24, line 66 to col. 25, line 6.

Sakurai fails to disclose receiving information identifying a search engine to carry out a search using said search term and to receive an instruction to carry out a search and transmitting the search term to a server and to receive search engine results based on the search term from the server.

However, in an analogous art, Freeland discloses a phone that receives information identifying a user's favorite search engine to carry out a search using a search term and to receive an instruction to carry out the search and transmit the search term to a web server 10/214 and to receive search engine results based on the search term from the server. See FIGS. 1 and 3 and paragraph 272. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Sakurai by incorporating these features taught in Freeland for the purpose of allowing a user the freedom to make specific web requests using the phone.

The combination of Sakurai and Freeland fails to disclose receiving a search term for a search engine offline and carrying out a search online using the search term received offline. However, in an analogous art, Culliss discloses this feature in col. 1, lines 53-59 and col. 11, lines 26-31. Therefore, it would have been obvious to one having ordinary skill in the art at the

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time the invention was made to modify the device of Sakurai and Freeland by incorporating this feature taught in Culliss for the purpose of saving online consumption of the computing device.

Regarding claim 32, Sakurai discloses that the search engine software is run on said server. See col. 23, lines 45-49.

Regarding claim 33, Sakurai discloses a method, in a mobile telecommunications device 1 including a keypad 102 for receiving data from a user, a transceiver 112/113 for sending and receiving signals through a wireless telecommunications network and a controller 121, the method including (a) executing a browser application, (b) receiving a search term for a search engine, (d) receiving an instruction to carry out a search; (e) establishing a connection with a server associated with the search engine through the wireless communications network. See FIGS. 4A, 5, 6 and 9, col. 24, lines 35-44 and col. 24, line 66 to col. 25, line 6.

Sakurai fails to disclose receiving information identifying a search engine to carry out a search using said search term and to receive an instruction to carry out a search and transmitting the search term to a server and to receive search engine results based on the search term from the server.

However, in an analogous art, Freeland discloses a phone that receives information identifying a user's favorite search engine to carry out a search using a search term and to receive an instruction to carry out the search and transmit the search term to a web server 10/214 and to receive search engine results based on the search term from the server. See FIGS. 1 and 3 and paragraph 272. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Sakurai by incorporating these

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features taught in Freeland for the purpose of allowing a user the freedom to make specific web requests using the phone.

The combination of Sakurai and Freeland fails to disclose receiving a search term for a search engine offline and carrying out a search online using the search term received offline. However, in an analogous art, Culliss discloses this feature in col. 1, lines 53-59 and col. 11, lines 26-31. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Sakurai and Freeland by incorporating this feature taught in Culliss for the purpose of saving online consumption of the computing device.

Regarding claim 34, a mobile telecommunications device including a keypad 102 for receiving data from a user, a transceiver 112/113 for sending and receiving signals via a wireless telecommunications network and a controller 121 that is configured to execute a browser application, receive a search term for a search engine via the browser application and receive an instruction to carry out a search. See FIGS. 4A, 5, 6 and 9, col. 24, lines 35-44 and col. 24, line 66 to col. 25, line 6.

Sakurai fails to disclose receiving information identifying a search engine to carry out a search using said search term and to receive an instruction to carry out a search and transmitting the search term to a server and to receive a list of links associated with the search term based on search engine results from the server.

However, in an analogous art, Freeland discloses a phone that receives information identifying a user's favorite search engine to carry out a search using a search term and to receive an instruction to carry out the search and transmit the search term to a web server 10/214 and to receive a list of links associated with the search term based on search engine results from



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the server. See FIGS. 1 and 3 and paragraphs 245 and 272. Therefore, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the device of Sakurai by incorporating these features taught in Freeland for the purpose of allowing a user the freedom to make specific web requests using the phone and link directly to different web sites.

### ***Response to Arguments***

4. Applicant's arguments with respect to the claims have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Sam Bhattacharya whose telephone number is (571) 272-7917. The examiner can normally be reached on Weekdays, 9-6, with first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on (571) 272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read "sb", with a stylized, cursive flourish extending from the end.

sb